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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,452	11/19/2001	Paul-Marcel St-Onge	48135.0100/PS01	9377

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MICHELLE WHITTINGTON, ESQ.	GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
2645	8

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/006,452	ST-ONGE ET AL.
	Examiner	**Art Unit**	
	Gerald Gauthier	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-19* is/are allowed.

6)☒ Claim(s) *20-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Allowable Subject Matter

1.   **Claims 1-19** are allowed.

2.   The following is an examiner's statement of reasons for allowance:

Regarding **claims 1-19** the prior art of record fails to disclose or suggest a

communication device initiating a session by accessing a graphic user interface and

during the session receives information of a telephone call from a private branch

exchange system via the graphic user interface, thereby transferring complete

management functions of the call to the communication device.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   **Claims 20-23 and 29-30** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Beerman, Jr. et al. (US 6,084,952) in view of Judson (US 5,572,643).

Regarding **claim 20**, Beerman discloses a system for communicating electronic

messages over a telephone network (column 1, lines 60-65), (which reads on claimed

"a system for establishing a remote access session between a remote device and an

office center"), the system comprising:

the office center (18 on FIG. 1) comprising:

a messaging server (18 on FIG. 1) configured to receive, store (column 5, lines 7-13) and cause a textual display (column 5, line 8 "e-mail messages") of a telephone-related event on a display (column 6, lines 45-55) of a communication device (column 5, lines 1-13) [The messaging server receives and stores messages from multiple links telephones and data];

a private branch exchange system (column 5, line 2 "private branch exchange") receiving and delivering external and internal voice calls to and from the office center, the PBX system coupled between a public switched telephone network (16 on FIG. 1) and the messaging server (column 5, lines 1-13) [The PBX links from the telephone network inherently delivers voice information to the messaging server]; and

a web server (100 on FIG. 3) coupled to the PBX system and the messaging server, the web server programmed to provide a dynamic GUI website and accessible (column 10, line 30 "a web page") via the world wide web (column 10, lines 27-38) [The web server allows the user of the messaging server to access messages via the word wide web in a web page]; and

the remote device (12 on FIG. 1) having a display (column 6, line 38 "the display"), a function key (column 6, lines 36-55) [The user input device includes a keyboard and a touch screen incorporated into the display].

Beerman discloses a remote device having a display but fails to disclose the remote device having a web browser.

However, Judson teaches the remote device (12 on FIG. 1) having a web browser (62 on FIG. 2), the remote device configured to access the website via the World Wide Web (14 on FIG. 1) and cause the remote access session between the remote device and the office center (10 on FIG. 1), during the session, the remote device receiving the textual display of the event via the dynamic GUI website (column 6, line 14 "the web page") on the remote device display, the function key (22 on FIG. 2) enabling a management of the event within the office center (column 6, lines 12-43) [The user input command using a keyboard into the web page for invoking remote services and fill-in form tags].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the remote device having a web browser of Judson in the invention of Beerman.

The modification of the invention would offer the capability of the remote device having a web browser such as the system would enhance operation of a web browser for a display of useful information.

Regarding **claim 21**, Beerman discloses, wherein the communication device comprises a keyset (column 6, lines 36-55).

Regarding **claim 22**, Beerman discloses, wherein the communication device further comprises a workstation coupled to the keyset (column 6, lines 36-55).

Regarding **claim 23**, Beerman discloses, wherein the remote device comprises one of a cellular phone, a portable computer, an on-premise device, a personal digital assistant or a stationary computing device (column 6, lines 17-29).

Regarding **claim 29**, Judson teaches wherein the web site comprises a visual selection corresponding to the information center and upon selection, a bi-directional path is established between the remote communication device and the messaging server (column 6, lines 12-43).

Regarding **claim 30**, Beerman discloses a command from the message server to the PBX system to disable the communication device within the information center (column 9, lines 25-39).

6.   **Claims 24-28 and 31-56** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beerman in view of Judson and in further view Dunn et al. (US 5,651,054).

Regarding **claim 24**, Dunn teaches an OAI link between the messaging server and the PBX system (column 3, lines 26-38).

Regarding **claim 25**, Dunn teaches wherein the OAI link comprises a plurality of channels (column 3, lines 26-38).

Regarding **claim 26**, Dunn teaches wherein information transmitted on the OAI link is compressed (column 3, lines 26-38).

Regarding **claim 27**, Dunn teaches wherein the event comprises a voice mail message (column 4, lines 46-61).

Regarding **claim 28**, Dunn teaches, wherein the event comprises a real-time telephone call (column 3, lines 49-61).

Regarding **claim 31**, Beerman discloses a system for communicating electronic messages over a telephone network (column 1, lines 60-65), (which reads on claimed "a system for establishing a remote access session to an office telephone via an Internet connection"), the system comprising:

an office center (18 on FIG. 1) comprising:

a web server (100 on FIG. 3) having a protocol conversion software and a dynamic GUI website (column 10, line 30 "a web page") stored thereon (column 10, lines 27-38) [The web server allows the user of the messaging server to access messages via the word wide web in a web page];

a network (16 on FIG. 3) providing communication pathways within the office center (column 5, lines 43-64) [The acoustical tones may be transmitted to messaging server over the telephone network];

a private branch exchange system (column 5, line 2 "private branch exchange") having a plurality of station ports and configured to receive and deliver a telephone call to the office telephone via at least one of the ports (column 5, lines 1-13) [The PBX links from the telephone network inherently delivers voice information to the messaging server]; and

an Internet protocol controller (92 on FIG. 3) coupled to the PBX system (column 7, lines 29-46) [The mail processing subsystem is coupled to the internet network which inherently is an internet protocol controller].

Beerman discloses a remote device having a display but fails to disclose the remote device having a web browser.

However, Judson teaches a web-compliant portable communication device (12 on FIG. 1) having a display and a web browser (62 on FIG. 3), during the session the device displaying the dynamic GUI website and the web browser having a conversion software for bi-directional conversion of data transceived between the portable communication device and the web server, whereby, the portable communication device couples to the network and to one of the ports and receives the telephone call in real-time (column 6, lines 12-43) [The user input command using a keyboard into the web page for invoking remote services and fill-in form tags].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the remote device having a web browser of Judson in the invention of Beerman.

The modification of the invention would offer the capability of the remote device having a web browser such as the system would enhance operation of a web browser for a display of useful information.

Beerman discloses a PBX link and Judson discloses a telephone network but fails to disclose translate telephone-related information relating to the office telephone into one or more packets.

However, Dunn teaches a web server configured to translate telephone-related information relating to the office telephone into one or more packets for transmission over the network to the web server (column 7, lines 40-62) [The voice data is output by the voice board in packets to be transmitted on the network].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use translate telephone-related information relating to the office telephone into one or more packets of Dunn in the invention of Beerman and Judson.

The modification of the invention would offer the capability of translate telephone-related information relating to the office telephone into one or more packets such as the system would allow the user to monitor a message being left by a caller.

Regarding **claim 32**, Beerman discloses, wherein the communication device comprises a keyset (column 6, lines 36-55).

Regarding **claim 33**, Beerman discloses, wherein the communication device further comprises a workstation coupled to the keyset (column 6, lines 36-55).

Regarding **claim 34**, Dunn teaches wherein the packets comprise compressed speech and text (column 7, lines 40-62).

Regarding **claim 35**, Dunn teaches wherein the IPC comprises a plurality of appearances corresponding to an equal number of office telephones (column 5, lines 43-53).

Regarding **claim 36**, Dunn teaches, wherein the IPC comprises 8 appearances (column 5, lines 43-53).

Regarding **claim 37**, Dunn teaches wherein the conversion software on the web browser downloaded from the web server to the portable communication device (column 7, lines 40-62).

Regarding **claim 38**, Dunn teaches wherein the office telephone comprises a phantom extension (column 5, lines 43-53).

Regarding **claim 39**, Beerman discloses a system for communicating electronic

messages over a telephone network (column 1, lines 60-65), (which reads on claimed

"a method for remote access to a telephone coupled to an office information center"),

the method comprising the steps of:

establishing a communications link (column 7, line 6 "communication

information") between a remote client (12 on FIG. 1) and the world-wide-web (column 7,

lines 3-22) [The communication subsystem facilitating communication information

between the remote device and the messaging server which in turn is connected to the

internet];

from the web page, establishing a communications link to a port of a private

branch exchange system (column 5, line 2 "private branch exchange") of the office

information center, the port corresponding to a pre-existing link to the telephone

(column 5, lines 1-13) [The PBX links from the telephone network inherently delivers

voice information to the messaging server];

coupling a telephone-related event from the PBX to the remote client (column 5,

lines 26-41) [The session is established between the remote device initiated a

telephone call];

terminating the communications links between the remote client and the office

information center (column 5, lines 42-64) [Information is communicated between the

remote device and the messaging server using acoustic tones]; and

updating the telephone functions in accordance with any alterations made from

the web page model of the telephone displayed on the remote client (column 11, lines

51-67) [The information processing subsystem updates the various files associated with messaging system].

Beerman discloses a remote device having a display but fails to disclose the remote device having a web browser.

However, Judson teaches displaying a web page (column 10, line 30 "a web page") on the remote client (column 6, lines 12-43) [The user input command using a keyboard into the web page for invoking remote services and fill-in form tags].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the remote device having a web browser of Judson in the invention of Beerman.

The modification of the invention would offer the capability of the remote device having a web browser such as the system would enhance operation of a web browser for a display of useful information.

Beerman and Judson disclose a web page but fail to disclose a web page model of the telephone viewable on the remote client.

However, Dunn teaches constructing a web page model of the telephone viewable on the remote client, the web page model comprising a representation of a plurality of functions available on the telephone (column 5, lines 43-53) [The screen display displays information about all calls].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a web page model of the telephone viewable on the remote client of Dunn in the invention of Beerman and Judson.

The modification of the invention would offer the capability of a web page model of the telephone viewable on the remote client such as the system would allow the user to monitor a message being left by a caller.

Regarding **claim 40**, Beerman discloses, wherein access to the telephone comprises accesses to one of a keyset, a workstation coupled to a keyset, or a phantom extension (column 6, lines 36-55).

Regarding **claims 41 and 46**, Beerman discloses wherein the step of establishing a communications link to a port of the PBX system comprises the steps of:

establishing a communications link to a messaging server of the office information center (column 5, lines 26-41); and

establishing a link between the messaging server and the PBX system (column 5, lines 1-13).

Regarding **claim 42**, Dunn teaches an OAI link between the messaging server and the PBX system (column 3, lines 26-38).

Regarding **claim 43**, Dunn teaches wherein the OAI link comprises a plurality of channels (column 3, lines 26-38).

Regarding **claim 44**, Beerman discloses further comprising the step of compressing data representative of the incoming call prior to routing the call to the remote client (column 5, lines 26-41).

Regarding **claim 45**, Beerman discloses further comprising the step of establishing a link to a web page server having the web page stored thereon (column 7, lines 29-46).

Regarding **claim 47**, Dunn teaches further comprising the step of translating the incoming call to a packet for transmission (column 7, lines 40-62).

Regarding **claims 48 and 49**, Dunn teaches wherein the event comprises a voice mail message (column 4, lines 46-61).

Regarding **claim 50**, Dunn teaches further comprising the step of displaying on a display of the telephone a notification that the telephone is disabled (column 5, lines 43-53).

Regarding **claim 51**, Beerman discloses further comprising the step of determining the type of remote client prior to displaying the web page (column 5, lines 26-41).

Regarding **claim 52**, Beerman discloses, further comprising the step of authenticating the remote client (column 5, lines 26-41).

Regarding **claim 53**, Beerman discloses wherein the step of establishing a communications link between the remote client and the world-wide-web comprises activating a pre-programmed function key on the remote client (column 5, lines 26-41).

Regarding **claim 54**, Beerman discloses further comprising the step of disabling the plurality of functions available on the telephone and enabling the remote client to manage the functions (column 5, lines 42-64).

Regarding **claim 55**, Beerman discloses further comprising the step of restoring the port link to the telephone (column 5, lines 26-41).

Regarding **claim 56**, Beerman discloses wherein the coupling step comprises an incoming call received at the PBX (column 5, lines 1-13).

Response to Arguments

7.   Applicant's arguments with respect to **claims 20-56** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
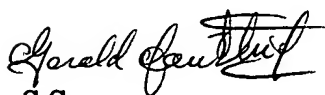
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

g.g.
March 10, 2004

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